

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

33 Washington Street, Newark, New Jersey 07102-3017 Tel: (973) 624-0800 Fax: (973) 624-0808

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March 21, 2011

BY ELECTRONIC FILING

Honorable Faith S. Hochberg, U.S.D.J.
United States District Court, District of New Jersey
Frank R. Lautenberg U.S. Post Office & Courthouse Building, Room 369
P.O. Box 999
Newark, New Jersey 07101-0999

Re: American General Life Insurance Company v. Sussex 130 LLP, et al.
Our File No.: 07478.00649
Civil Action No. 2:09-cv-5097 (FSH/PS)


Dear Judge Hochberg:

We represent plaintiff American General Life Insurance Company in connection with this matter. Enclosed is a proposed form of Consent Order of Dismissal only as to defendant Michael Strulowitz, with prejudice and without costs and/or attorneys' fees to any party. If the proposed form of Consent Order meets with your Honor's approval, we respectfully request that your Honor sign the Consent Order and cause it to be filed. In addition, in light of the aforementioned, Consent Order of Dismissal, plaintiff hereby withdraws its motion for voluntary dismissal with prejudice pursuant to Fed. R. Civ. P. 41(a)(2), returnable April 4, 2011.

We thank your Honor for your Honor's attention to this matter.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP


Gregg S. Kahn

GSK/Enclosure

cc: Paul Linker, Esq. (w/enclosure)

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AMERICAN GENERAL LIFE INSURANCE
COMPANY,

Plaintiff,

vs.

SUSSEX 130 LLP, CANYON FUNDING TRUST,
WELLS FARGO BANK, N.A., SCOTT ULVEN,
RAMPART AMERICA LLC, MICHAEL
STRULOWITZ, and JOHN DOES 1- 10,

Defendants.

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: Civil Action No: 2:09-cv-5097 (FSH/PS)
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: **CONSENT ORDER OF DISMISSAL**
: **ONLY AS TO MICHAEL**
: **STRULOWITZ, WITH PREJUDICE**
: **AND WITHOUT COSTS AND/OR**
: **ATTORNEYS' FEES TO ANY PARTY**
:
:
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THIS MATTER having been opened to the Court by plaintiff American General Life Insurance Company ("plaintiff") and defendant Michael Strulowitz ("Strulowitz"), for an order pursuant to Rule 41 of the Federal Rules of Civil Procedure dismissing all remaining claims, including plaintiff's Amended Complaint as to Strulowitz, in its entirety with prejudice and without costs and/or attorneys' fees to any party as against the other party; and


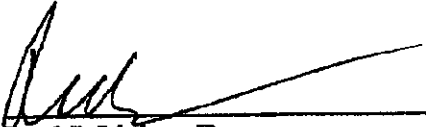
IT APPEARING that the parties have consented to the form and entry of this order, and for good cause shown;

IT IS on this _____ day of _____, 2011,

ORDERED that all remaining claims, including plaintiff's Amended Complaint against Strulowitz, be and hereby are dismissed in their entirety with prejudice and without costs and/or attorneys' fees.

U.S.D.J.

We hereby consent to the form and entry of the above Order.

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| WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP 33 Washington Street Newark, New Jersey 07102-3017 Attorneys for Plaintiff American General Life Insurance Company  _____ Robert P. Lesko, Esq. Gregg S. Kahn, Esq. Dated: March <u>21</u> , 2011 | GRUHN & GRUHN, P.A. 155 Prospect Avenue, Suite 100 West Orange, New Jersey 07052 Attorneys for Defendant Michael Strulowitz  _____ Paul J. Linker, Esq. Dated: March <u>18</u> , 2011 |
|--|--|